

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FILED IN OPEN COURT  
U.S.D.C. - Atlanta

FOR THE NORTHERN DISTRICT OF GEORGIA JUN 08 2011

ATLANTA DIVISION

JAMES N. HATTEN, Clerk  
By:   
Deputy Clerk

UNITED STATES OF AMERICA : CRIMINAL INDICTMENT  
v. :  
MARTIN AYALA-CASTENEDA (16) : NO. 1:11-CR-239

GOVERNMENT'S MOTION FOR DETENTION

Comes now the United States of America, by and through its counsel, Sally Quillian Yates, United States Attorney, and Lisa W. Tarvin, Assistant United States Attorney for the Northern District of Georgia, and pursuant to 18 U.S.C. §§ 3142(e) and (f) moves for detention for the above-captioned defendant.

1. Eligibility of Case.

This case is eligible for a detention order because this case involves (check all that apply):

- Maximum sentence of life imprisonment or death
- 10 + year drug offense
- Felony, with two prior convictions in the above categories
- Serious risk defendant will flee
- Serious risk of obstruction of justice

2. Reason for Detention.

The Court should detain defendant because there are no conditions of release that will reasonably assure (check one or both):

- Defendant's appearance as required
- Defendant is not a United States Citizen
- Safety of any other person and the community

3. Rebuttable Presumption.

The United States (will, will not) invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because (check one or more):

- There is probable cause to believe defendant committed 10 + year drug offense.

4. Time for Detention Hearing.

The United States requests the Court conduct the detention hearing:

- Prepared to go forward at the initial appearance.

The Government requests leave of Court to file a supplemental motion with additional grounds or presumption for detention should this be necessary.

Dated: this 8<sup>th</sup> day of June, 2011.

Respectfully submitted,

SALLY QUILLIAN YATES  
UNITED STATES ATTORNEY



LISA W. TARVIN  
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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by hand delivery:

Counsel for defendant

This 8<sup>th</sup> day of June, 2011.



LISA W. TARVIN  
ASSISTANT UNITED STATES ATTORNEY